

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

SUSANNA MIRKIN, Individually and on
Behalf of All Others Similarly Situated

Plaintiff,

v.

XOOM ENERGY, LLC and XOOM ENERGY
NEW YORK, LLC,

Defendants.

Case No.: 18 Civ. 2949 (ARR) (JAM)

**PLAINTIFF SUSANNA MIRKIN AND THE CERTIFIED CLASS'S NOTICE OF
MOTION *IN LIMINE* TO EXCLUDE THE TESTIMONY OF DAVID COLEMAN**

PLEASE TAKE NOTICE THAT upon the accompanying Memorandum of Law in Support of Plaintiff and the Certified Class's Motion *in Limine* to Exclude the Testimony of David Coleman, dated May 20, 2024 and the Declaration of Ethan D. Roman in Support of Plaintiff and the Certified Class's Motion *in Limine* to Exclude the Testimony of David Coleman, dated May 20, 2024 and with all exhibits thereto, Plaintiff and the Class, by their undersigned attorneys, will move the Court before the Honorable Judge Allyne R. Ross, at the United States District Courthouse, 225 Cadman Plaza East, Brooklyn, New York 11201, on such day and time as counsel may be heard, for an Order granting Plaintiff and the Certified Class's Motion *in Limine* to Exclude the Testimony of David Coleman.

Dated: May 20, 2024

WITTELS MCINTURFF PALIKOVIC

/s/ Ethan D. Roman

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